

REMARKS

In response to the Official Action mailed March 14, 2005, Applicants amend their application and request reconsideration. In this Amendment, no claims are added or canceled so that claims 1-5 remain pending. No new matter has been added.

The Official Action states that the previous communication by the Applicants filed November 24, 2004, was not responsive because claim amendments were made using a set of claims different from those filed in the original application. Accordingly, the amendments made in the previous response are repeated here with respect to the correct set of claims, i.e., the claims as originally filed with the application.

The Official Action further states that Applicants have submitted a publication by the inventors but have not submitted the proper Information Disclosures Statement (IDS). This publication, "A 3D Biomechanical Model for Numerical Simulation of Dynamic Mechanical Interactions of Bra and Breast During Wear," was incorporated by reference in the original application. Applicants now submit this reference in a proper IDS. The Official Action further requests all publications by the inventors, including those listed in the reference. Applicants have now submitted the only reference believed to be material to patentability. Accordingly, Applicants contend that they have fulfilled their duty to disclose under 37 C.F.R. § 1.56 and 37 C.F.R. § 1.105.

Claim 1 is amended to recite "mechanical functional designs" instead of "structural functional designs," in accordance with page 5, lines 9-14 of the patent application. Claim 1 is further amended to include a colon to separate the preamble from the body of the claim, in response to the objection in the Official Action. Claim 3 is amended to correct an antecedent basis issue.

The Official Action objects to claims 1-5 under 35 U.S.C. § 112, first paragraph, as reciting subject matter not enabled by the specification. That rejection is respectfully traversed.

The Official Action contends that the following limitations are not enabled by the specification:

- "supplying the computer information from databases relating to biomechanical and structural characteristics of a human body and structural and mechanical characteristics of chosen textile materials for computational simulation of the information"
- "creating visual images for the monitor showing modules of structural functional designs."

Applicants submit, however, that one of ordinary skill in the art of modeling the mechanics of human/textile interaction would have been sufficiently enabled by the disclosure of the patent application to practice the invention claimed. In support of Applicants' contention, a copy of the paper entitled "Advanced Computing Technology for Integrated Design of Textiles and Apparel" by Y. Li (hereinafter, the Li paper) is attached to this Response. The Li paper is incorporated by reference in the patent application and, therefore, is part of the disclosure. See page 4, lines 11-14 of the patent application. This publication demonstrates that one of ordinary skill in the art was enabled to model biomechanical characteristics or textile mechanic characteristics individually at the time of the filing of the present patent application. The present invention teaches the integration of physiological modeling and the mechanical modeling of textiles into a single methodology creating mechanical functional designs of clothing (see page 4, line 25 to page 5, line 14 and Figure 2 of the patent application). Accordingly, one of ordinary skill in the art was certainly enabled to practice the claimed invention at the time of the filing of the present patent application, based on the present patent application and knowledge in the relevant arts. Therefore, the enablement rejection should be withdrawn.

The Official Action rejects claims 1-5 as anticipated by Lennon (US Patent 6,624,843). That rejection is respectfully traversed.

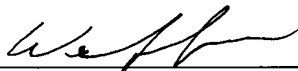
Contrary to the assertion of the Official Action, Lennon fails to teach all of the limitations of claim 1. Namely, Lennon fails to disclose information relating to "structural mechanical characteristics of chosen textile materials." Lennon merely discloses storing information about garment style, size, and body type (see column 5, lines 55-62 of Lennon). Lennon does not use information relating to mechanical characteristics of the selected textile materials in creating mechanical functional designs of clothing.

Moreover, Lennon fails to teach all of the limitations of claim 1 as amended. That is, Lennon does not teach creating visual images of **mechanical** functional designs of textiles. Thus, Lennon fails to teach all of the limitations of claim 1. Accordingly, Lennon cannot anticipate any pending claim so that the rejection of amended claim 1 and its dependent claims 2-5 is erroneous and should be withdrawn.

In re Appln. of ZHANG et al.
Application No. 09/840,444

Reconsideration and withdrawal of the rejections, along with prompt allowance of the pending claims, are appropriate and earnestly solicited.

Respectfully submitted,



A. Wesley Ferreebee, Reg. No. 51,312
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

Date: _____
AWF:tps

4/13/05

Amendment or ROA - Regular (Revised 11-23-04)